

The copyright © of this thesis belongs to its rightful author and/or other copyright owner. Copies can be accessed and downloaded for non-commercial or learning purposes without any charge and permission. The thesis cannot be reproduced or quoted as a whole without the permission from its rightful owner. No alteration or changes in format is allowed without permission from its rightful owner.



**FREEDOM OF EXPRESSION UNDER THE JORDANIAN
CONSTITUTION: A CRITICAL ANALYSIS**

HAZEM SULEIMAN AHMED TOUBAT



**DOCTOR OF PHILOSOPHY
UNIVERSITI UTARA MALAYSIA
2018**

FREEDOM OF EXPRESSION UNDER THE JORDANIAN CONSTITUTION: A CRITICAL ANALYSIS

HAZEM SULEIMAN AHMED TOUBAT (99078)



**A Thesis Submitted to the Ghazali Shafie Graduate School of Government in
fulfillment of the requirements for the Doctor of Philosophy
Universiti Utara Malaysia**



Kolej Undang-Undang, Kerajaan dan Pengajian Antarabangsa
(College of Law, Government and International Studies)
Universiti Utara Malaysia

PERAKUAN KERJA TESIS / DISERTASI
(Certification of thesis / dissertation)

Kami, yang bertandatangan, memperakukan bahawa
(We, the undersigned, certify that)

HAZEM SULAIMAN TOUBAT (99078)

calon untuk Ijazah **Ph.D**
(candidate for the degree of)

telah mengemukakan tesis / disertasi yang bertajuk:
(has presented his/her thesis / dissertation of the following title):

FREEDOM OF EXPRESSION UNDER THE JORDANIAN CONSTITUTION: A CRITICAL ANALYSIS

seperti yang tercatat di muka surat tajuk dan kulit tesis / disertasi.
(as it appears on the title page and front cover of the thesis / dissertation).

Bahawa tesis/disertasi tersebut boleh diterima dari segi bentuk serta kandungan dan meliputi bidang ilmu dengan memuaskan, sebagaimana yang ditunjukkan oleh calon dalam ujian lisan yang diadakan pada **23 Julai 2018**

*That the said thesis/dissertation is acceptable in form and content and displays a satisfactory knowledge of the field of study as demonstrated by the candidate through an oral examination held on: **July 23, 2018***

Pengerusi Viva : **ASSOC. PROF. DR. HARLIDA ABDUL WAHAB**
(Chairman for Viva)

Tandatangan
(Signature)

Pemeriksa Luar : **DR. NORMAWATI HASHIM**
(External Examiner)

Tandatangan
(Signature)

Pemeriksa Dalam : **ASSOC. PROF. DR. RUSNIAH AHMAD**
(Internal Examiner)

Tandatangan
(Signature)

Tarikh: **23 July 2018**
Date

Nama Pelajar
(Name of Student) : HAZEM SULAIMAN TOUBAT (99078)

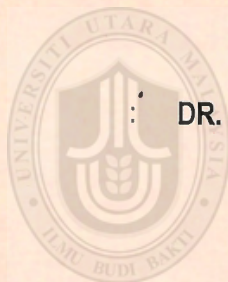
Tajuk Tesis
(Title of the Thesis) : FREEDOM OF EXPRESSION UNDER THE JORDANIAN
CONSTITUTION: A CRITICAL ANALYSIS

Program Pengajian
(Programme of Study) : Ph.D

Penyelia Pertama
(First Supervisor) : DR. ROHIZAN HALIM

Penyelia Kedua
(Second Supervisor)

: DR. ZURYATI MOHAMED YUSOFF



UUM
Universiti Utara Malaysia

Tandatangan
(Signature)

Tandatangan
(Signature)

PERMISSION TO USE

I agree that the Sultanah Bahiyah Library of Universiti Utara Malaysia makes it freely available for inspection. I further agree that copying this thesis in any manner, in whole or in parts for scholarly purposes may be granted by my supervisors or in their absence, by the Dean of Ghazali Shafie Graduate School of Government, College of Law, Government and International Studies. It is also understood that any copying or publication or use of this thesis or part thereof for financial gain shall not be allowed without my written permission. It is also understood that due recognition shall be given to me and the Universiti Utara Malaysia for any scholarly use which may be made of any material from this thesis.

Requests for permission to copy or to make other use of material in this thesis, in whole or in part, shall be addressed to:



Dean of Ghazali Shafie Graduate School of Government
Collage of Law, Government, and International Studies
Universiti Utara Malaysia
06010 UUM Sintok
Kedah Darul Aman
Malaysia



ABSTRACT

Freedom of expression in Jordan is a problematic issue reported by international and national human rights organizations. This is due to the arrest and trials of individuals and journalists for publishing information or comments. These trials were based on legal provisions that impose limitations on the freedom of expression. Through combining the doctrinal and socio-legal research approaches, this study critically analyses the guarantees and limitations of this freedom as well as the role of the Jordanian Constitutional Court in monitoring the constitutionality of these limitations. The researcher used two types of data collection methods: doctrinal approach and semi-structured interview. This study included interviews with 12 respondents in this area. The study concludes that freedom of expression in Jordan is violated and that the reason for this violation is lack of actual guarantees for this freedom, as the role of the Parliament is not activated, which has led to the domination of the Government on the function of legislation. In addition, the Judiciary has been neutralized from the consideration of issues related to freedom of expression through the establishment of the State Security Court as a special court to deal with these issues. Weakening the role of Parliament in legislation and the dominance of the Government on this function has led to the enactment of laws that contradict the essence of the freedom of expression, which has been vaguely worded and loosely interpreted. With regard to the Constitutional Court, the Constitution and the legal provisions governing its working mechanism and formation prevent it from exercising effective controls over these laws. The study recommends amendments to be made to the Jordanian Constitution with the aim of enhancing the guarantees on freedom of expression and making the legislation clear and specific, so that it cannot be loosely interpreted.

Keywords: Freedom of Expression, Limitations, Guarantees, Jordanian Constitution and Laws, Constitutional Court.

ABSTRAK

Kebebasan bersuara di Jordan merupakan satu isu yang dilaporkan oleh organisasi hak asasi manusia antarabangsa dan kebangsaan. Hal ini berikutan dengan penahanan dan perbicaraan individu dan wartawan kerana menyiarkan maklumat atau komen mereka. Perbicaraan tersebut adalah berdasarkan peruntukan undang-undang yang membataskan kebebasan bersuara. Dengan menggabungkan pendekatan penyelidikan doktrinal dan sosio-undang-undang, kajian ini menganalisis secara kritikal jaminan dan batasan kebebasan tersebut serta peranan Mahkamah Perlembagaan Jordan untuk memantau batasan perlembagaan tersebut. Pengkaji menggunakan dua kaedah pengumpulan data: pendekatan doktrinal dan temu bual separa berstruktur. Seramai 12 orang responden dalam bidang ini telah ditemu bual untuk tujuan kajian ini. Kajian mendapati kebebasan bersuara di Jordan telah dilanggar dan punca pelanggaran ini disebabkan kekurangan jaminan untuk kebebasan tersebut, di mana peranan Parlimen tidak dipergiatkan dan menjurus kepada penguasaan kerajaan terhadap fungsi perundangan. Tambahan pula, Badan Kehakiman telah dineutralkan daripada pertimbangan isu berkenaan kebebasan bersuara melalui penubuhan Mahkamah Keamanan Negeri sebagai mahkamah khas untuk menangani isu-isu ini. Melemahkan peranan Parlimen dalam perundangan dan penguasaan kerajaan terhadap fungsi ini telah membawa kepada penguatkuasaan undang-undang yang bertentangan dengan intipati kebebasan bersuara yang masih ditafsirkan secara samar-samar. Dalam konteks Mahkamah Perlembagaan, perlembagaan dan teks undang-undang yang terkandung dalam mekanisme kerja dan pembentukannya merupakan penghalang untuk melaksanakan kawalan yang berkesan terhadap undang-undang ini. Kajian ini mencadangkan supaya pindaan kepada Perlembagaan Jordan dilakukan dengan tujuan untuk meningkatkan lagi jaminan ke atas kebebasan bersuara dan menjadikan perundangan lebih jelas dan khusus supaya tidak ditafsirkan secara samar-samar.

Kata kunci: Kebebasan Bersuara, Batasan, Jaminan, Perlembagaan Dan Undang Undang Jordan, Mahkamah Perlembagaan

ACKNOWLEDGEMENT

First and foremost, I would like to express my sincere gratitude to Almighty Allah for giving me the strength and ability to pursue this goal in my life.

I would like to extend my heartfelt appreciation and deep gratitude to my supervisors: Dr. Rohizan Halim and Dr. Zuryati Mohamad Yusoff, who have provided continuous guidance, encouragement, support and advice in assisting me to complete this work. Their remarkable ways and professionalism in explaining and guiding me throughout the completion of this work has allowed me to see things in a more objective and rational view. Also, I am a grateful for the hospitality and courtesy extended by the Malaysian people, especially the staff of Universiti Utara Malaysia.

I am grateful to Jadara University for providing me with financial and moral support, particularly for Dr. Shukri Al-Marashdeh, Chairman of the Board of Directors of the University, Dr. Omran Mahafdah, Dean of the Faculty of Law at Jadara University. I also express my thanks and appreciation to Professor Khaled Al-Zubaidi, Professor of Constitutional Law at Yarmouk University for his continuous support and guidance.

Finally, I would like to thank all the people interviewed for this study, who have shown total cooperation and provided valuable inputs into this study.

DEDICATION

To my parents for their unconditional love, encouragement, and prayers. Your encouragement and prayers gave me a very high moral and perseverance to achieve the goal.

To my wife, sons and daughter for their patience, support, understanding, and for coping with my prolonged absence from home in the course of this program.



TABLE OF CONTENTS

PERMISSION TO USE.....	i
ABSTRACT.....	ii
ABSTRAK	iii
TABLE OF CONTENTS	vi
LIST OF TABLES	x
LIST OF FIGURES	xi
LIST OF ABBREVIATIONS	xii
LIST OF STATUTES.....	xiii
LIST OF INTERNATIONAL AND REGIONAL INSTRUMENTS SIGNED AND RATIFIED BY JORDAN.....	xiv
LIST OF CASE LAW.....	xv
LIST OF APPENDICES	xvii
CHAPTER ONE: INTRODUCTION.....	1
1.1 Background of the Study	1
1.2 Problem Statement	8
1.3 Research Questions.....	13
1.4 Research Objectives.....	13
1.5 Significance of the Study	14
1.6 Research Methodology	16
1.6.1 Research Design.....	16
1.6.2 Research Scope	18
1.6.3 Types of Data.....	21
1.6.3.1 Primary Data	21
1.6.3.2 Secondary Data	21
1.6.4 Data Collection Method.....	22
1.6.5 Data Analysis	26
1.7 Limitations of the Study.....	28
1.8 Literature Review.....	28
1.8.1 Definition of Operational Terminologies.....	29
1.8.1.1 Definition of Freedom.....	29
1.8.1.2 Definition of Freedom of Expression.....	31
1.8.1.3 Definition of Guarantees.....	33
1.8.1.4 Definition of Limitations	34
1.8.2 Historical Background of Freedom of Expression.....	35

1.8.3 Justifications for Freedom of Expression.....	38
1.8.4 The Relation between Freedom of Expression and other Freedoms.....	42
1.8.5 Scope of Freedom of Expression	43
1.8.6 Freedom of Expression in Islam	45
1.8.7 Gap in Literature	49
1.9 Outline of Chapters	54

CHAPTER TWO: GUARANTEES OF FREEDOM OF EXPRESSION UNDER THE JORDANIAN LEGAL SYSTEM56

2.1 Introduction.....	56
2.2 The Historical, Political, and Legal Background of Jordan	57
2.2.1 The Historical and Political Background of Jordan	58
2.2.2 Background of the Jordanian Legal System.....	64
2.3 The Status of the International and Regional Instruments Ratified by Jordan.....	71
2.4 Freedom of Expression under the International and Regional Instruments	76
2.4.1 Freedom of Expression under the International Instruments	77
2.4.1.2 The International Covenant on Civil and Political Rights (ICCPR) 1966 .	78
2.4.2 Freedom of Expression under the Regional Instruments	80
2.4.2.1 Cairo Declaration on Human Rights in Islam (CDHRI) 1990	80
2.4.2.2 Arab Charter on Human Rights (ACHR) 2004.....	81
2.5 Provisions of Freedom of Expression under the Jordanian Constitution.....	82
2.6 The Role of Jordanian Parliament in Protecting Freedom of Expression.....	95
2.7 The Principle of Separation of Powers	110
2.7.1 The Role of the Separation of Powers in Protecting Rights and Freedoms	111
2.7.2 The Principle of Separation of Powers in the Jordanian Constitution	114
2.8 The Principle of Independence of the Judiciary.....	122
2.8.1 The Role of Independence of the Judiciary in Protecting Rights and Freedoms ..	122
2.8.2 Independence of the Judiciary in the Jordanian Legal System	124
2.9 Provisions of Freedom of Expression under the Tunisian Constitution.....	132
2.10 Provisions of Freedom of Expression under the French Constitution	135
2.11 Discussion and Analysis	137
2.12 Conclusion	142

CHAPTER THREE: LIMITATIONS ON FREEDOM OF EXPRESSION UNDER THE JORDANIAN LEGAL SYSTEM144

3.1 Introduction.....	144
3.2 Rationale for Limiting Freedom of Expression	145

3.3 Methods of Limiting Freedom of Expression	148
3.3.1 Limiting Freedom of Expression through Laws Passed by Parliament	148
3.3.2 Identify the Limitations Specifically through Constitutional Provisions (Particular Restriction).....	151
3.3.3 Identify the Limitations in General through Constitutional Provisions (General Restriction).....	152
3.4 Limiting Freedom of Expression at the International Level	153
3.5 Limitations on Freedom of Expression under the Jordanian Laws	165
3.5.1 Limitations to Protect the Security of the State	166
3.5.1.1 Limitations to Protect the External Security of the State	168
3.5.1.2 Limitations to Protect the Internal Security of the State	178
3.5.2 Limitations to Protect the Public Order and Public Morals	188
3.5.3 Limitations to Protect the Public Security	190
3.5.4 Limitations to Protect the Dignity, Honor, and Reputations of Others.....	195
3.5.5 Limitations to Protect the Sanctity of Private Life.....	205
3.6 The War against Terrorism and its Impact on Freedom of Expression in Jordan.....	209
3.7 Discussion and Analysis	212
3.8 Conclusion	216
CHAPTER FOUR: THE JORDANIAN CONSTITUTIONAL COURT	218
4.1 Introduction.....	218
4.2 Concept and Importance of the Oversight on the Constitutionality of the Laws.....	220
4.2.1 Concept of the Oversight on the Constitutionality of the Laws.....	220
4.2.2 Importance of the Oversight on the Constitutionality of the Laws	221
4.2.2.1 Protecting the Democratic System and the Rule of the Constitution	222
4.2.2.2 Ensure Respect for the Rights and Freedoms	223
4.2.2.3 Achievement of the Political and Legal Stability	224
4.3 The Oversight on the Constitutionality of Laws and Regulations in Jordan	225
4.3.2 Terms of Membership in the Constitutional Court	227
4.3.3 Duration of the Membership	229
4.3.4 Characteristics of the Constitutional Court	231
4.3.5 The Jurisdiction of the Constitutional Court.....	233
4.3.5.1 Oversight on the Constitutionality of Applicable Laws and Regulations	233
4.3.5.2 Interpretation of the Constitution	235
4.3.6 Mechanism for Recourse to the Constitutional Court.....	235
4.3.6.1 Direct Recourse to the Constitutional Court	236
4.3.6.2 Indirect Recourse to the Constitutional Court.....	237

4.4 Decisions and Rulings of the Constitutional Court.....	240
4.5 Oversight on the Constitutionality of Laws under the French and Tunisian Constitutions	246
4.6 Discussion and Analysis	249
4.7 Conclusion	252
 CHAPTER FIVE: RECOMMENDATIONS AND CONCLUSIONS.....	254
5.1 Introduction.....	254
5.2 Recommendations.....	255
5.3 Conclusions.....	264
BIBLIOGRAPHY	271
APPENDICES	292



LIST OF TABLES

Table 2.1 Summary of the Respondents' Views on the Guarantees of Freedom of Expression	138
Table 3.1 Articles of Laws Violating Freedom of Expression.....	213
Table 4.1 Number of Ruling and Interpretative Decisions of the Constitutional Court	241
Table 5.1 Current and Proposed Constitutional Provisions to Amend the Jordanian Constitution	262



LIST OF FIGURES

Figure 2.1: The Hierarchy of the Jordanian Courts that Constitute the Judiciary..... 66

Figure 4.1: The Mechanism for Recourse to the Constitutional Court 236



LIST OF ABBREVIATIONS

ACHR	Arab Charter on Human Rights
CDHRI	Cairo Declaration on Human Rights in Islam
CDFJ	The Center for Defending Freedom of Journalists
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
JD	Jordanian Dinar
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IIFA	International Islamic Fiqh Academy
ISIS	The Islamic State in Iraq and Ash-Sham(Daesh)
MEM	Middle East Monitor
NCHR	The National Centre for Human Rights
OHCHR	Office of the United Nations High Commissioner for Human Rights
PBUH	Peace Be Upon Him
RSF	Reporters sans Frontiers (Reporters without Borders)
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNESCO	The United Nations Educational, Scientific and Cultural Organization
UNHRC	United Nations Human Rights Committee
UNGA	United Nation General Assembly

LIST OF STATUTES

1. Constitutions of States

- Jordanian Constitution of 1952.
- Tunisian Constitution of 2014.
- French Constitution of 1958.

2. Jordanian Laws

- The Penal Code No. 16 of 1960.
- Anti-Terrorism Law No. 55 of 2006.
- The Press and Publication Law No.8 of 1998.
- The State Security Court Law, No. 17 of 1959.
- The Law on Public Meetings No. 7 of 2004.
- Cyber Crime Law No. 27 of 2015.
- Law of the Independence of the Judiciary No. 29 of 2014.
- The Law of Audio-Visual Media No.26 of 2015.
- The Constitutional Court Law No. 15 of 2012.

LIST OF INTERNATIONAL AND REGIONAL INSTRUMENTS SIGNED AND RATIFIED BY JORDAN

1. International Instruments

- Universal Declaration of Human Rights (UDHR, 1948).
- International Covenant on Civil and Political Rights (ICCPR, 1966).

2. Regional Instruments

- Cairo Declaration on Human Rights in Islam (CDHRI, 1990).
- Arab Charter on Human Rights (ACHR, 2004).



LIST OF CASE LAW

1. Jordanian Court of Cassation. Resolution No. (936/1993). November 13, 1993.
2. -----. Resolution No. (3965/2003). February 29, 2003.
3. -----. Resolution No. (7309/2003). April 22, 2004.
4. -----. Resolution No. (330/2006). May 31, 2006.
5. -----. Resolution No. (637/2006). August 28, 2006.
6. -----. Resolution No. (1516/2006). March 4, 2007.
7. -----. Resolution No. (1468/2006). April 16, 2007.
8. -----. Resolution No. (1370/2007). December 4, 2007.
9. -----. Resolution No. (371/ 2012). May 17, 2012.
10. -----. Resolution No. (1654/2014). November 30, 2014.
11. -----. Resolution No. (562/2015). April 15, 2015.
12. -----. Resolution No. (496/2015). April 29, 2015.
13. -----. Resolution No. (1011 2015). June 15, 2015.
14. -----. Resolution No. (1196/2015). August 26, 2015.
15. -----. Resolution No. (1382/ 2015). October 19, 2015.
16. -----. Resolution No. (111/2016). February 17, 2016.
17. -----. Resolution No. (1577/2016). November 16, 2016.
18. The Court of First Instance of Zarqa. Resolution No. (342/2016). May 15, 2017.
19. The Court of First Instance of Amman. Resolution No. (91/66). Sep 26, 1966.
20. ----- Resolution No. (550/2009). April 22, 2009.
21. ----- Resolution No. (2650/2008). Sep 14, 2004.
22. Amman's Court of Appeal. Resolution No. (382/2004). April 14, 2004.
23. -----. Resolution No. (33568/2009). June 21, 2009.
24. ----- Resolution No. (30429/2012). Sep 25, 2012.
25. The State Security Court. Resolution No. (3651/2010). July 28, 2011.
26. -----. Case No. (3133/2013). June 9, 2013.
27. -----. Case No. (4606/2013). April 28, 2014.
28. -----. Case No. (4606/2013). April 28, 2014.
29. -----. Case No. (4281/2014). June 17, 2014.
30. -----. Case No. (3133/2013). June 9, 2014.
31. -----. Case No. (9591/2014). February 12, 2015.
32. -----. Case No. (9052/2014). February 15, 2015.

33. -----. Case No. (3701/2015). May 12, 2015.
34. -----. Investigative Cases No (7288/2014 N).
35. -----. Investigative Cases No (7288/2014 N).
36. -----. Investigative Cases No. (13074/2015N).
37. -----. Investigative Cases No. (13073/2015N).
38. -----. Investigative Cases No. (13406/2015N).



LIST OF APPENDICES

Appendix A: Information of Respondents	292
Appendix B: Data Collection Letter	294
Appendix C: Interview Protocol	295
Appendix D: Rulings of the Constitutional Court	299



CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

Freedom of expression is an integral element in any democratic system.¹ It is a significant tool by which to measure the extent of the state's commitment to the democratic system as well as its commitment to guaranteeing the rights and freedoms of individuals.² Without freedom of expression, it would be impossible to hold any effective political debate or to subject the activities of the government to any criticism or control.³ Furthermore, freedom of expression is a basic human right that should be enjoyed by all people, regardless of religion, culture, ethnicity, political formation, or other backgrounds.⁴

Freedom of expression has been clearly guaranteed as a basic human right under international and regional instruments. At the international level, it has been articulated

¹ Ricardo Restrepo. "Democratic Freedom of Expression." *Open Journal of Philosophy* 3, no. 03 (2013): 380. European Union Agency for Fundamental Rights, "Freedom of Expression, a Corner Stone of Democracy, Listening and Communicating in a Diverse Europe," *1st Fundamental Rights Conference*, Paris (8-9 December 2008), accessed November 5, 2016, http://fra.europa.eu/sites/default/files/fra_uploads/634-FRC2008_FinalReport.pdf. -- Faisal Shatnawi, *Human Rights and International Humanitarian Law. Study in the International and National Laws*, (Amman: Dar AL- Hamed for publishing and distribution, 2001), 171. ; Hassan Saeed. "Freedom of speech in Malaysia." (PhD Thesis, T.C. Beirne School of Law. University of Queensland). DOI 10.14264/uql.2016.879. 2002.

² Informationsverein Lentia and others v. Austria, judgment of 24 November 1993, Series A, No. 276, §§32-33 and 38-42. ; Thoraya El- Rayyes. "Enhancing Internet Media Freedom in Jordan: International Lessons for Progressive Media Regulation." *Igarss 1* .2014: 1-5.

³ Alex Carroll. *Constitutional and Administrative Law*, 5th ed. (n.p. 2007), 521.

⁴ International Covenant on Civil and Political Rights (ICCPR 1966), Article 19, Paragraph 2. The Office of the United Nations High Commissioner for Human Rights (OHCHR). <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>. (access date: January 14, 2018).

BIBLIOGRAPHY

- Abdel Fattah, Amirah. Freedom of the Press in Egypt, Chapter I: Limits and Restrictions on the Right to Freedom of Expression, including Freedom of the Press, from an International Perspective. *The Arabic Network for Human Rights Information*. 2009.
- Abdul Hai, Madani. "Freedom and its Concept in Islam." Second International Conference on Humanities, *Historical and Social Sciences*. Singapore, IACSIT Press. 2012.
- Abdul Rahman, Ozin Khalid. *Human Rights Guarantees under the Emergency Law*, 1st ed, Amman: Dar Al-Hamed for Publishing and Distribution, 2009.
- Abed, Mohammed. "Independence of the Judiciary." *Valparaiso University: Law School*. June 14, 2012.
- Aboki, Yusuf. "Introduction to Legal Research Methodology." *Tamaza publishing Co.ltd*, Zaria, Nigeria, 2004.
- Abu- Karaki, Muddather, Faqir, Raed and Majed Ahmad K. Marashdah. "Democracy and Judicial Controlling in Jordan: A Constitutional Study." *Journal of Politics and Law*, 4(2), 180–195. doi:10.5539/jpl. v4n2p180. 2011.
- Abu Diya, Saied. The First Strategic Decision under King Hussein, Ammon Newspaper, April 12, 2009. <http://www.ammonnews.net/article/58278>. (access date: August 12, 2017)
- Abul-Ethem, Fahed. *Administrative Judgment between Theory and Practice*. 2nd ed, (Amman: Dar Al-Thaqafa for Publishing and Distribution, 2011.
- Abul-Ethem, Fahed. "The Role of the Judiciary in the Protection of Human Rights and Development: A Middle Eastern Perspective." *Fordham Int'l LJ* 26 (2002): 761.
- Acton, Harold. "Lord Acton." *Chicago Review*. 15 (1): 31–4. doi: 10. 230 7/252 936 42. 1961.
- Ae'laian, Ali and Abu Zeid, Ali. *Human rights and public freedoms*. 1st ed. Amman: the House of Culture. 2005.
- Agnès Callamard. "Accountability, Transparency, and Freedom of Expression in Africa." *Social Research* 77, no. 4: 1211-1240. 2010.
- Ahmad, Rusniah, Mohd Shariff, and Roos Niza. "Whistleblowing protection and freedom of speech: Finding respect at the workplace." *International Conference on Corporate Law (ICCL)*. Surabaya, Indonesia , 1st – 3rd June, 2009: 1-12.
- Ali, Ahmed. Introduction to Legal Sciences. 1st ed . Dar Al-Academia, Casablanca, 2012.

- AL-Abbadi, Mohamed. *Administrative Judgments, Part I, Administrative: Judiciary in Comparative Systems*. 1st ed, Al-Warraq for Publishing and Distribution, 2008.
- AL- Adwan, Mustafa. *Human rights: A Study in the Jordanian Political System in the Light of Various Political Systems*. Amman:Dar Wael, 2010.
- AL-Aqbilat, Hamdi, Dean of the Faculty of Law at the University of Isra. A statement published on Al-Balad Radio News. Editor: Izz Al-Din Al-Natour. Amman Net. "Disturb the Serenity of Relations is Disturbing the Freedom of Expression." March 17, 2015. Available at: <http://ar.ammannet.net/news/245697>. (access date: February 8, 2018)
- AL-Assaf, Shatha. *The Right of Inviolability of Private Life as a Restriction on the Freedom of Expression in Jordanian Law: A Comparative Study*. PhD Theses. University of Jordan. 2015.
- AL-Basawul, Omar. *Explanation of the Prevention of Crimes Law*. Amman: Dar Al-Thaqafa for Publishing and Distribution. 2010.
- AL-Dahar Al-Shamiya Newspaper. Historical Precedent for the Jordanian Judiciary. The Court of Cassation Retreat from the Conviction of a Political Activist. June 17, 2015. <http://eldorar.com/node/79263>. (access date: October 1, 2017).
- AL-Du'ma, Mohammed. Demonstrations of "Anger" in Jordan Demanding the Government of Rifai to Leave. Al Sharq Al Awsat Newspaper. January 15, 2011. <http://archive.aawsat.com/details.asp?section=4&issueno=11736&article=603915#.Wf2vy2iCzIV>
- AL-Faqir.S. Raed. Constitutional Court of Jordan: A Reading in the Thought of the Faqih Dr. Muhammad Al-Hamouri on the Pattern of Similar Experiences in the Monarchical States in the World. Watana News. 2012.
- AL-Fatlawi, Hussein. *Human rights*. Amman: The House of Culture, 2011.
- AL-Ghad Newspaper. Hammad: Amending the Anti- Terrorism Law is a Message to Every Terrorist Trying to Harm Jordan. Monday, 9 January 2017. 12:17 pm. <http://www.alghad.com/articles/1361832>- (access date: July 4, 2017).
- AL-Hamad, Jawad. National History between Jordan and Palestine and Future Prospects, Center of Middle East Studies. Amman. April 12, 2014. <http://www.mesc.com.jo/OurVision/2013/9.html>. (access date: March 8, 2018).
- AL-Hosban, Eid, Dababneh, Abeer, and Abu Dalbough, Reem. *The Status of Legislative Drafting in the Jordanian Legal System: An Analytic Critical Study*. centers.ju.edu.jo.2012.
- AL-Jamal, Yahia. *Constitutional Adjudication in Egypt*. Cairo, EG: Dar Alnahda Alarabieh. 2000.

- AL-Jazeera Net – Amman. “Trial of Bani Ershid. Twisting the Arm of Muslim Brotherhood”, December 18, 2014. <http://www.aljazeera.net/news/reportsandinterviews/2014/12/18>. (access date: March 8, 2018).
- AL-Jazeera Media Network. “Jordan: Nahed Hattar Charged over Offensive Cartoon.” August 14, 2016. <http://www.aljazeera.com/news/2016/08/jordan-nahed-hattar-charged-offensive-cartoon-160814145922313.html>. (access date: February 8, 2018).
- AL-Jazeera Net – Amman. Jordan: Nahed Hattar Charged over Offensive Cartoon 14 August 2016. <http://www.aljazeera.com/news/2016/08/jordan-nahed-hattar-charged-offensive-cartoon-160814145922313.html>. (access date: February 8, 2018)
- AL-Jazeera Net – Amman. Trial of Bani Ershid: Twisting the Arm of Muslim Brotherhood, December 18, 2014. <http://www.aljazeera.net/news/reportsandinterviews/2014/12/18>. .)access date: March 8, 2018).
- AL- Juruf, To'eima. *Theory of the State: The General Principles of the Political System and the System of Governance*. Comparative Study. 5th ed, Cairo: Dar AL Nahzah AL Arabia, 1978.
- AL-Khatib, No'man. *AL-Wasset (the Mediator) in the Political Systems and Constitutional Law*. 7th ed. Amman: Dar Al Thaqafa for Publishing and Distribution). ISBN 9957-16-119-9. 2011.
- AL-Khateeb, No'man. *Al-Baseet in the Constitutional System*. Amman, JO: Dar Althaqafa for Publishing and Distribution. 2014.
- AL-Lawama, Abdullah. The History of Parliamentary Life in Jordan. 2012. http://allawama.abdullah.blogspot.my/2012/10/blog-post_28.html. (access date: February 9, 2018).
- AL-Madi, M and Al-Mousa, S. *Modern History of Jordan: The Emirate of Amman (1921-1946)*. Amman – Jordan. 1991.
- AL-Madhoun, Saied. “Status of Freedom of Information Legislation in the Arab World.” *Open Society Justice Initiative: Open Society Justice Initiative Publication*. 2010.
- AL-Matait, Abu Al-Yazid. *Political Systems and Public Freedoms*, I4th ed. University Youth Foundation, Alexandria. 1989.
- AL-Morshedi, Amal. Study on the Jordanian Public Meetings Law No. 7 of 2004 and its amendments. Mohamah Net. September 16, 201. <https://www.mohamah.net/law>.)access date: September 19, 2017).
- AL-Moqatel Website. The Positions of the States and the Impact of the July Revolution of 1958 on the Alliance. http://www.moqatel.com/openshare/Behoth/Monzmat3/HalfBagdad/sec07.doc_cvt.htm.(access date: June 3, 2017)

- AL-Musa, Suleiman. *Development of Journalism in Jordan*. Amman, The Publications of the Jordanian History, 1998.
- AL-Mousa, Sulaiman. *Emirate of Eastern Jordan: Its Origins and Development in a Quarter of a Century (1921-1946)*. Amman-Jordan, 1991.
- AL-Nahar, Mazen. Public Order and Morals. Arab Legal Library. 2016. [http:// www.bibliotdrait.com/ 2016/08/blog-post_77.html](http://www.bibliotdrait.com/2016/08/blog-post_77.html). (access date: April 5, 2017).
- AL-Rawashdeh, Muhammad. *The Guarantees of Judicial Independence in Islamic Jurisprudence: A Comparative Study of Jordanian Law*. Karak: Dar Rand for Publishing and Distribution, 2000.
- AL-Sanhoury, Fawzi. Public Meetings Law Violation of the Constitution and International Charters, Center for Development and Human Rights, Amman Net Website. February 13, 2011. <http://ar.ammannet.net/news/93550>. (access date: March 8, 2018)
- AL-Saud, Hamza. Parliamentary Life in Jordan: Dissolution of 12 of the 16 councils. Amman Net. December 17, 2012. <http://ar.ammannet.net/news/181101>. (access date: March 8, 2018).
- AL-Shdaifat, Shadi. "Review of Human Rights under the Jordanian Constitution." *Journal of Law, Policy and Globalization*, ISSN 2224-3240 (Paper) ISSN 2224-3259 (Online) Vol.29, 2014, www.iiste.org.29, (2014): 30-44.
- AL-Shdough, Maher. "Jordanian Constitutional Court's Oversight of Laws and Regulations: A Comparative Study." Master's thesis. Jadara University 2014.
- AL-Tarawneh, Muhannad. The Relationship between the Executive and Legislative Authorities in the Parliamentary System. Amman: Al - Warraq for Publishing and Distribution Est. 2009. (access date: March 8, 2018).
- AL-Tarawneh, Muhannad. Approach of the Relationship between Authorities. Constitutional Review of the Jordanian Regime. Ammon News. June 20, 2013. [http://www.ammonnews.net/ article/157050](http://www.ammonnews.net/article/157050).
- AL-Wadaan, Hail. "The Impact of Democratic Transformation in the Relationship between the Legislative Branch and the Executive Branch of the Jordanian Political System (1989-1997)." *Jordan Journal of Social Sciences* 4, no. 3. 2011: 320-337.
- Ameri, Mamdouh. "The Relation between the Jordanian Press and National Security." Master's thesis, Middle East University, 2008.
- Anand, Pinky. Right to Reputation' is a Fundamental Right: The Right to Free Speech Cannot be Read to Mean that One Citizen Can Defame Another. Live mint. E-paper. May 26 2016.

- Anagherh, Mohamed. Historic Station: The Jordanian Constitution. Ad-Dustour Newspaper. June 19, 2010, <https://www.addustour.com/articles/660084>. (access date: April 2, 2017).
- Andrew, P. Freedom of Expression, the Essentials of Human Rights. *NJ: Hodder Arnold Inc*, 2005.
- ARTICLE 19 Organization. Freedom of Expression: Overview of International Standards, <http://www.article19.org/resources.php/resource/37380/en/freedom-of-expression-and-icts-overview-of-international-standards?lang=en> In Sep 2011.
- ARTICLE 19 Organization. Free Word Centre. Freedom of Expression and ICTs: Overview of International Standards. London: EC1R 3GA, ISBN: 978-1-906586-67-6. 2013.
- ARTICLE 19 Organization. Defining Defamation: Principles on Freedom of Expression and Protection of Reputation. ISBN 1 902598 25 3. July 2000.
- Asyraf R, Wan Ibrahim, and A. Nooraihan. "Islamic concept of social justice in the twentieth century." *Advances in Natural and Applied Sciences* 6, no. 8 (2012): 1423-1428.
- Attia, Attia. The Basics of Human Rights and Education, Amman: Dar ALBidaieh, 2009.
- Au sediq, Fawzi. Algerian Constitutional System: the Institutional Means of Expression, office of the Algerian Press, Algeria, 2006.
- Azizuddin, Mohd. "Freedom of Islamic Expression in Malaysia." *Journal of Islamic Civilization in Southeast Asia* 6, no. 2 . 2017.
- Azizuddin Mohd Sani, Mohd. "Freedom of speech and democracy in Malaysia." *Asian Journal of Political Science* 16, no. 1. 2008: 85-104.
- Bagnell, John. A History of Freedom of Thought. Newyork: H. Holt and company. 1913.
- Bakircioglu, Onder. "Application of the Margin of Appreciation Doctrine in Freedom of Expression and Public Morality Cases", *German LJ* 8 .2007: 711- 720.
- Bani Hani, Mohammed and Al-Zubaidi, Khaled. "Organizing the Right to Meeting in Jordanian Law: A Comparative Study with the Egyptian Law of Meetings." PhD diss., Yarmouk University, 2014.
- Bani Salamah, Mohammed. The Most Important Amendments to the Jordanian Constitution for 1592, an Article published on the Site all of Jordan February 16, 2011. www.allofjo.net. February 16, 2011. . (access date: October 17, 2017).

- Barriball, K, Louise and While, Alison. "Collecting Data using a semi-structured interview: a discussion paper." *Journal of advanced nursing* 19, no. 2 (1994):328-335.
- Basheer, Saied. *Freedom of Opinion and Expression: Guarantees and Responsibilities*, Media Researcher, Al- Balqa' Applied University, Amman, 2010.
- Bassiouni, Abdul Ghani. *Political Systems, Foundations of Political Organization, State-Government-Rights and Public Freedoms*. Alexandria :University House, n.d.
- Bawareed, Jamal. "The Amended Press and Publications Law No. 32 of 2012 and its Reflection on Media Freedom: The Websites is a Model." Master's thesis, Mu'ta University, 2014.
- BBC Arabic. Demonstrations in Jordan Protesting Against High Prices and Unemployment. January14, 2011.http://www.bbc.com/arabic/middleeast/2011/01/110114_jordan_protests.shtml.(access date: November 10, 2017).
- Bhat, Ali Muhammad. "Freedom of Expression from an Islamic perspective." *Journal of Media and Communication Studies* 6, no. 5 (2014): 69-77.
- Blaikie, Norman. *Designing Social Research*. Cambridge UK: Polity Press, 2010.
- Boehntaleh, Ibrahim. Controls of Freedom of Expression in Islam, Algeria, University Lhadg Lakdar Batna, Majallat al-Turaṯh - 2013/9 Al Manhal Collections (www.almanhal.com) - 04/12/2015@ Dammam University.
- Bradley, Awb and Kd, Ewing. *Constitutional and Administrative law*. 4th ed, 2007.
- Bruce, Berman. "Control and Crisis in Colonial Kenya : the dialectic of domination, Eastern African studies." London: Bruce Berman Curry, ISBN : 082409654 ,1990.
- Bugarič, Bojan. "Protecting Democracy and the Rule of Law in the European Union: The Hungarian Challenge." LSE 'Europe in Question' Discussion Paper Series, LEQS. Paper No. 79/2014. 2014. <http://www.lse.ac.uk/europeanInstitute/LEQS/LEQSPaper79.pdf>.
- Bulmer, Elliot. "What is a Constitution? Principles and Concepts." International IDEA Constitution-Building Primer, Stockholm. 2014.
- Burayzat, Musa. Freedom of Expression in Jordan: The Lost Balance between Freedom and Security. Press Conference. Al Rai Newspaper. <http://alrai.com/article/728871.html>. August 17, 2015. (access date: 12, February 2018).
- Callamard, Agnes . "Freedom of Speech and Offence : Why Blasphemy Laws Are Not the Appropriate Respon" . *Equal Voices, the Magazine of the European Monitoring Centre on Racism and Xenophobia (EUMC)*, Issue 18, June 2006.

- Cambridge Dictionary online. <http://dictionary.cambridge.org/dictionary/English/freedom>.(access date: February 8 ,2018).
- Carol, Basat and Hawkins, Mrgie. *Foundation of legal Research and Writing*. 5th ed, New York, Delmar Cengage Learning, 5 Maxwell Drive, 2013.
- Carroll, Alex. *Constitutional and Administrative Law*. 5th ed. N.p.: publisher, 2007.
- Center for defending freedom of Journalists. Media Freedom Status in Jordan, Annual Report: 2009. Amman: CDFJ Publications, 2010.
- Charles de Montesquieu. *The Spirit of the Laws*. Book XI, Chapter 6. 1748. IZ Quit. <http://izquotes.com/quote/253974>
- Charles, Geyh. "Judicial Independence, Judicial Accountability, and the Role of Constitutional Norms in Congressional Regulation of the Courts." *Ind. LJ* 78. 2003: 153.
- Chin, Liew. *Mill on Liberty*, Chapter Eight: Freedom of Expression: National university of Singapore www.victorianweb.org/philosophy/mill/ten/ch8.html Last modified 1 May 2015.
- Cloud. D. *Rhetorical Criticism: Exploration and Practice*. Illinois: Waveland Press, 1996.
- CNN. Elections of Jordan: The Return of Islamists to Parliament and the Survival of Tribal Weight and Increase the Share of Women. September 23, 2016. <https://arabic.cnn.com/middleeast/2016/09/23/jordan-elections-results>.(access date: August 27, 2017)
- Cohen, D, Crabtree, B. "Qualitative Research Guidelines Project. 2006. <http://www.qualrs.org/HomeSemi-3629.html>.
- Conference on Humanities, Historical, and Social Sciences. Singapore, IACSIT press. 26 th to 28 February 2010. Organized by: Social Science and Humanities Society of IACSIT, Economics and Business Society, Waseda University.
- Consultative Council of European Judges (CCJE). The Position of the Judiciary and its Relation with the other Powers of State in a Modern Democracy. London:16 October2015.
- Constitution of Pennsylvania - September 28, 1776 Article 7 available at: http://avalon.law.yale.edu/18th_century/pa08.asp.(access date: March 8, 2018)
- Cook, Phillip . *Liberty of Expression*. Washington, DC: Wilson Center Press, 1990.
- Council of the European Union . EU Human Rights Guidelines on Freedom of Expression online and offline. Brussels, 12 May 2014 p1. http://www.eeas.europa.eu/delegations/documents/eu_human_rights_guidelines_on_freedom_of_expression_online_and_offline_en.pdf.

- Creswell, John. "Research design: Qualitative, Quantitative, and Mixed Methods Approaches." *Sage Publications*. 2013.
- Dalloul, Motasem. "Freedom of Expression: Comparing Freedom of Expression in the Statutory Law and Shari'a Law." Master's thesis, University of Westminster, 2012.
- Equality and Human Rights Commission. Freedom of Expression: Legal Framework. February 1, 2015. <https://www.equalityhumanrights.com/en/publication-download/freedom-expression-legal-framework>. (access date: March 12, 2018).
- Edward, Craig. Concise Routledge, Encyclopedia of , The Softback Preview Publisher, New York, USA, First Published 2000.
- Elananza, Azzam. "Freedom of Expression in Jordan." PhD diss., Dublin City University, School of Communications, 2005.
- El Sayed, Mohamed. W. Evolution of the Concept of National Security and its Implications for the Security Function. *Journal of Police Thought, Volume 12*, No. 2. Sharjah: Police Research Center. 2003.
- Embassy of the Hashemite Kingdom of Jordan, Washington, D,C. Human Rights and Political Freedom. <http://www.jordanembassyus.org/politics/human-rights-and-political-freedom>. . (access date: March 8, 2018).
- European Union Agency for Fundamental Rights. "Freedom of Expression, a Corner Stone of Democracy, Listening and Communicating in a Diverse Europe." 1st Fundamental Rights Conference (8-9 December 2008): under "Paris." 2016.
- Farraj Law Firm. Why we Reject the Wadi Araba Treaty. <http://www.farrajlawyer.com/viewTopic.php?topicId=799> (access date: March 8, 2018).
- Finocchiaro A. Maurice. (Editor and Translator). The Galileo Affair: A Documentary History. University of California. 1989.
- Fleiner, Thomas, and Fleiner, Lidiya. Constitutional democracy in a multicultural and globalised world. Springer Science and Business Media. 2009.
- Francesco, Alicino. "Freedom of Expression, Laïcité and Islam in France: The Tension between Two Different (Universal) Perspectives." *Islam and Christian-Muslim Relations* 27, no. 1 (2016): 51-75.
- Francesca, Ferraro and Jesús, Carmona. "IN-Deth Analysis EPRS European Parliamentary Research Service Fundamental Rights in the European Union, no. March (2015), doi: 10.2861/378609.
- Frank Jørgensen, Rikke "The right to express oneself and to seek information." Frank Jørgensen, Rikke (editors). Human rights in the global information society. MIT Press. 2006. 53-72.

- Gardbaum, Stephen. "Separation of Powers and the Growth of Judicial Review in Established Democracies (or why has the model of legislative supremacy mostly been withdrawn from sale?)." *American Journal of Comparative Law* 62, no. 3 (2014): 613-639
- Gazawi, Mohammed. *AL-Wajeez in the Political and Constitutional organization of the Hashemite Kingdom of Jordan*. 1st ed. Amman: Jordan Academy Library, 1985.
- Gaylor, L. Annie. Oliver Wendell Holmes, Jr. Freedom from Religion Foundation, Protecting the Constitutional Principle of the Separation of State and Church. <https://ffrf.org/news/day/dayitems/item/14246-oliver-wendell-holmes-jr>. (access date: March 12, 2018).
- Gedion, Timothewos. "Freedom of Expression in Ethiopia: The Jurisprudential Dearth." *Mizan Law Review* 4, no. 2 (2010): 201-231.
- Geneive, Abdo and Jonathan, Lyons. Freedom of Speech with Islamic Characteristics, the national interest. March 17, 2015, <http://nationalinterest.org/feature/freedom-speech-islamic-characteristics-12429>. (access date: March 8, 2018).
- George Tarabichi. *Lexicon philosophers*. Beirut: Dar Altalieah, 1st ed. 1987.
- Ginsburg, Jane. "Creation and Commercial Value: Copyright Protection of Works of Information." *Columbia Law Review* 90 (7). Columbia Law Review Association, Inc.: 1865–1938. doi:10.2307/1122769. 2001.
- Ginsburg, L. "Creation and commercial Value: Copyright Protection." *NY: Free press*, 2001.
- Gjylbehare, Murati. The Independence of the Judiciary and its Role in the Protection of Human Rights under UN Administration Using the Case of Kosovo. European Society of International Law, Agora Paper. 2004.
- Goff, Lord. "Judge, jurist and Legislature." *The denning law journal* 2, no. 1 (1986): 79-95. 2016.
- Haddad, Hamzeh. Enforcement of Foreign Judgments and Award in Jordan and Iraq. A lecture addressed to the IBA Conference of Bahrain (5 – 8/3/1989), Arab institute for arbitration and ADR.
- Hammouri, Mohammed. A Study in the Constitutional Reform. Ammon News. May 9, 2011. <http://www.ammonnews.net/article/87005>. (access date: March 8, 2018).
- Hamouri, Mohamed. Constitutional Reforms in Jordan Need to be Reformed. Amman; *Magazine of the Jordanian Bar Association*, No. 7, 8 and 9, 2011.

- Hammouri, Mohammad. *Rights and Freedoms between Political Whims and Constitutional Requisites, the Case of Jordan*. Amman: Dar Wael for publication, 2010.
- Hamouri, Mohammad. A Statement published on Al-Balad Radio News. Editor: Izz Al-Din Al-Natour. Amman Net. "Disturb the Serenity of Relations is Disturbing the Freedom of Expression." March 17, 2015. Available at: <http://ar.ammannet.net/news/245697>. (access date: February 8, 2018).
- Hammouri, Mohammad. A Reading in the constitutional amendments of 2016. April 24, 2016. <https://jordantribalmovement.wordpress.com/2016/04/20>. (access date: March 15, 2018).
- Hashi, Yusuf. *Constitutional Theory*. 3ed. Beirut: Dar Ibn al-Nadim for publication and distribution, 2009.
- 7iber. The Amended Bill to the State Security Court. December 10, 2013. <https://www.7iber.com/2013/12/draft-law-state-security-court/>. (access date: February 8, 2018).
- Hemisi, Reza. The New Media between Freedom of Expression and the Protection of National Security: Legal Study. Working Paper. The Scientific Conference on the Role of the Arab Media in Countering Terrorism. Naif Arab University for Security Sciences. Riyadh: 16-18 December 2014.
- Hensley, T. The Boundaries of Democracy: Freedom of Expression and Order in America. pp 416. ISBN 0-87338-692-2. 2001.
- Human Right Watch (HRW). World Report 2013, Events of 2012. p 8. https://www.hrw.org/sites/default/files/wr2013_web.Pdf. (access date: February 22, 2018).
- Human Right Watch (HRW). Jordan: Terrorism Amendments Threaten Rights: Greatly Expand Categories of Terrorist Acts. May 17, 2014.
- Human Right Watch (HRW). Jordan: 18 Months for Criticizing UAE Despite Government Promises, Free Expression in Peril, Feb 19, 2015.
- Human Right Watch (HRW). Journalists, Writers in Jordan Facing Terrorism Charges: Vague Law Being Used to Curb Media Freedom." hrw.org. July 15, 2015.
- Human Right Watch (HRW). Jordan: Strengthen Penal Code Overhaul: Amendments Retain Limitations on Basic Rights. September 13, 2015.
- Human Right Watch (HRW). Jordan: 2-Year Sentence for Facebook Post: Increasing Penalties for Speech Crimes. December 15 2015.
- Hobbes, T. The Democracy Reader. Classic and Modern Speeches, Essays. Diane Ravitch (Editor), Abigail M. Thernstrom (Editor). 1992.

- Holmes, Oliver. Freedom from Religion Foundation. Protecting the Constitutional Principle of the Separation of State and Church. <https://ffrf.org/news/day/dayitems/item/14246-oliver-wendell-holmes-jr>
- Hugelier, Sara. Freedom of Expression and Transparency: two Sides of One Coin. *Jura Falconis* ;47 no. (1). 2011. 61-91.
- Hutchinson, Terry. *Researching and writing in law*, 2nd ed. Thompson Lawbook Co., pyrmont, NSW. 2006.
- Idris, Booker. *AL-Wajeez in the Constitutional Law and Political Institutions*. Cairo: Modern Book House. 2003.
- International Institute for Democracy and Electoral assistance (IDEA). The Main Axes of the Libyan Constitutional Process. 2014. http://www.constitutionnet.org/sites/default/files/libya_constitution_manual-arabic.pdf. (access date: October 19, 2017).
- Itkauskaite, Dalia V-Meurice. Arab Charter on Human Rights: the Naissance of New Regional Human Rights System or a Challenge to the Universality of Human Rights?. *Jurisprudence* 119 (1):165-180 (2010).
- Janaby, Mohamad. Implementation of International Law by the Domestic and Constitutional Courts of Jordan. 2015. https://www.academia.edu/11465152/Implementation_of_International_Law_by_the_Domestic_and_Constitutional_Courts_of_Jordan?auto=download (access date: March 9, 2018)
- Jarrar, Shaker. Between April and October: The Transformations of the Jordanian State, November 15, 2015. <https://www.7iber.com/politics-economics/on-november2012-protests/>. (Access date: March 9, 2018).
- Jayousi, Rawan. "Freedom of expression in International and Local Setting and Limitation of Implementation/Jordan case study, Master's thesis, the University of Jordan, 2013.
- Jeremy, Sharp. Jordan: Background and US Relations. *Diane Publishing*, 2014.
- Joel, Beinin and Hajjar, Lisa. Palestine, Israel, and the Arab-Israeli Conflict: A Primer. Middle East Research and Information Project. Electronic document, 2001. https://web.stanford.edu/group/sper/images/Palestine-Israel_Primer_MERIP.pdf (access date: March 9, 2018).
- Jørgensen, R. Frank. The Right to Express Oneself and to Seek Information. In R. F. Jørgensen (Ed.), *Human Rights in the Global Information Society* (pp. 53-72). Cambridge: MIT Press. 2006.
- Kamali, Mohammad Hashim. *Freedom of Expression in Islam*. Cambridge: Islamic Texts Society, 1997.

- Kant, Immanuel (1784). An Answer to the Question: What is Enlightenment? In Kant's Political Writings. Edited by: Reiss, H, Cambridge: University Press, 1970. 54-60. "What is Enlightenment?" 1784, In: Reiss, H. Kant's Political Writings." Cambridge: University Press, 1970. 54-60.
- Karasna, Ruba. Lawyers: Article 11 of Cyber Crimes Law is Contrary to the Constitution. Albosala Website. March 7, 2016. [http:// www. Albosala. com /News /Jordan/2016/3/7/](http://www.albosala.com/News/Jordan/2016/3/7/).(access date: February 8, 2018).
- Kedzia, Dzidek and Husbands, Pobert Guidelines on "Human Rights and the Constitution." Office of the High Commissioner for Human Rights – Geneva. [http://www.constitutionnet. org/sites/default/files/guidelines_ on_human_ rights_and_the_constitution.pdf](http://www.constitutionnet.org/sites/default/files/guidelines_on_human_rights_and_the_constitution.pdf). (access date: March 9, 2018).
- Khaberni News Website. Names in the Memory of April. April,18, 2011. [https://www. khaberni.com/ news/ 53286](https://www.khaberni.com/news/53286).(access date: July 22, 2017).
- Khair, Hani. *The Practical Development of the Jordanian Constitution between 1921-1989*, Amman. 1993.
- Khan, Sa'ad. "The Organization of the Islamic Conference (OIC) and Muslim Minorities." *Journal of Muslim Minority Affairs* 22, no. 2 (2002): 351-367.
- Khashakesh, Kaream. *Public Freedoms in Contemporary Political Systems*. Monshat AL-Maaref, Egypt. 1987.
- Khedr, Mohammad. Constitutional Organization in Palestine: A preliminary Study for the Purpose of Proposing Regulatory Texts of Rights and Freedoms and the Judiciary in the Constitution of the State of Palestine. Palestinian Center for the Independence of the Judiciary and the Legal Profession "MUSAWA." 2015.
- Khushal, Vibhute and Aynalem, Filipos, "Legal Research Methods," 1–2 259. (2009). [chilot. wordpress. com](http://chilot.wordpress.com).
- Krishan, Tawfiq, Deputy Prime Minister and Minister of Parliamentary Affairs, Official Statement During a Seminar on Constitutional Amendments. Organized by the Youth Organization of "we are All Jordan", at Al-Hussein Bin Talal University. 2011.
- Lagi, Sara. "Hans Kelsen and the Austrian Constitutional Court (1918-1929)." *Coherencia* 9, no. 16. 2012: 273-295.
- Lawyers Rights Watch Canada (LRWC). International Human Rights Law: Non-Treaty Standards. [http://www. lrwc.org/education /international-law/non-treaty-standards/](http://www.lrwc.org/education/international-law/non-treaty-standards/).(access date: March 9, 2018).
- Legal Information Institute. US Constitution: First amendment. Cornell University, Law School. [https:// /www. law. cornell.edu/constitution/first amendment](https://www.law.cornell.edu/constitution/first-amendment).(access date :March 11, 2018).

- Leong, Susan. "A right and not a Privilege: Freedom of Expression and New Media in Malaysia." *Routledge Handbook of New Media in Asia*. 2015: 155.
- Lipton, J. "Balancing Private Rights and Public Policies: Conceptualizing Property in Databases." *Berkeley Technology Law Journal*, 18(1), 2003, 778- 84.
- Locke, John. Second Treatise of Civil Government. Chapter 11. Of the Dissolution of Government. 1690.
- Luciani, Giacomo. "The Economic Content of Security." *Journal of Public Policy* 8, no. 2 (1988): 151-173. p. 151. Published by: Cambridge University Press, Stable URL:<http://www.jstor.org/stable/4007203>
- Lyons, Geneive AbdoJonathan . Freedom of Speech with Islamic Characteristics, the National Interest. March 7, 2015. <http://nationalinterest.org/feature/freedom-speech-islamic-characteristics-12429>. (access date: March 9, 2018).
- Macey, Jonathan. "How Separation of Powers Protects Individual Liberties." Faculty Scholarship Series. Paper 1747. Yale Law School. 1989.
- Macovei, Monica. Freedom of Expression: A guide to the Implementation of Article 10 of the European Convention on Human Rights, 2nd ed, Human rights handbooks, No. 2 Council of Europe.
- Maghrabi, Mahmoud. The Court of Cassation Defines the Political Regime and the Controls of Freedom of Expression. Khaberni Newspaper.<https://www.khaberni.com/news/150264>. (access date: March 9, 2018).
- Mahafzah, Ali. Parliamentary Government in Jordan. Website of Ammon news, February 25, 2013. Available at: <http://www.ammonnews.net/article/145948>. (access date: March 9, 2018).
- Mahafazah, Ali. *Jordanian-British Relations since the Establishment of the Emirate until the Abolition of the Treaty (1921-1957)*. Beirut: Dar al-Nahar Publishing, 1973.
- Mahafazah, Mohammed. *Emirate of Eastern Jordan: Its Origins and Development in a Quarter of a Century (1921-1946)*. Amman: Dar Al Furqan Publishing and Distribution, 1990.
- Mahfouz, Abdel Moneim and Al-Khatib Numan. *The Principles of Political Systems: Comparative Study*. 1st ed. Amman: Dar Al-Furqan for Publishing and Distribution, 1987.
- Mahoney, James, and Dietrich Rueschemeyer, eds. Comparative historical analysis in the social sciences. Cambridge University Press, 2003.

- Makki, Naji. Director General of the Federal Supreme Court of Iraq. Philosophical Foundations for the Control of the Constitutionality of Proposed Laws and Constitutional Amendments, Research Paper, University of Baghdad: Center for Strategic Studies, 2009.
- Mansour, Mehdi Shabannia, and Kamal Halili Hassan. Freedom of speech for “MM2H” Under Federal Constitution of Malaysia and Holy Quran . Conference Paper · February 2012.
- Manuel, José. "Freedom of Speech in Rome.” Valparaíso, Chile: University of Desarrollo. 2009.
- Marczyk. Geoffrey, David. DeMatteo, and David Festinger. Essentials of Research Design and Methodology. John Wiley and Sons Inc, 2005.
- Margunn, Bjornholt and Gunhild, Regland. “Qualitative Research. Am I rambling? ‘On the Advantages of Interviewing Couples Together” *Sage Journal*, 2012.
- Marzugi, Omar. “Freedom of Opinion and Expression in Algeria under the Democratic Transition (1989-2004).” Master’s thesis, Algeria University, 2005.
- Masum, Ahmad. ‘Freedom of Speech and the Internet -A Case Study of Malaysia’ 3 xxxiv *Malayan Law Journal Article*, 2009.
- Maurice, Vile and Crawley, John. *Constitutionalism and the Separation of Powers*. Liberty Fund.2012. <http://oll.libertyfund.org/titles/vile-constitutionalism-and-the-separation-of-powers>. (access date: March 9, 2018)
- McIntyre, Kenneth. Power Tends to Corrupt: Lord Acton’s Study of Liberty. By Christopher Lazarski. DeKalb: Northern Illinois University Press, 2012.
- McMillan, John and Woodruff, Christopher. Private Order under Dysfunctional Public Order. *Michigan Law Review*, Vol. 98. No. 8, (Aug. 2000), pp. 2421-2458.
- Mekhadma, Muhammad . *Human Rights in Jordan and the international legal setting*. Irbid, Yarmouk University.2011.
- Meron, Theodor. Judicial Independence and Impartiality in International Criminal Tribunals. *Am. J. Int'l L.* 99 (2005): 359. DOI: <https://doi.org/10.2307/1562502>. Published online: 27 February 2017.
- Meyerson, Denise. The Rule of Law and the Separation of Powers. *Macquarie Law Journal*. Vol.4. 2004. file:///C:/Users/compaq/Downloads/2004_vol4_1pdf.pdf
- Micheal. D, Urray. M, and Christy. H. Legal Research and Writing. Thomson West, Foundation Press. 2006.
- Mill, John. “On Liberty, Chapter II: of the Liberty of Thought and Discussion.”1896.Available at <http://www.bartleby.com/130/2.html>. (access date: March 9, 2018).

- Milton, John. *Areopagitica, A Speech of Mr. John Milton for the Liberty of Unlicenc'd Printing to the Parliament of England* (1st ed.). London. (1644. Retrieved February 1, 2016. via Google Books. available at <<http://www.bartleby.com/3/3/2.html>>. (access date: March 9, 2018).
- Ministry of Political and Parliamentary Affairs, Summary of Parliamentary Life, <http://www.moppa.gov.jo/Pages/viewpage.aspx?pageID=220>.(access date: September 9, 2017)
- M.J.C. Vile, *Constitutionalism and the Separation of Powers* (2nd ed.) (Indianapolis, Liberty Fund 1998). <http://oll.libertyfund.org/titles/677>.(access date: March 10, 2018).
- Mohammed, Ali. "The Requirements of Activating the Supervision of the Constitutionality of Laws under the Constitutional Amendments: (Algeria and Morocco model)." *Journal of Law and Society (ASJP)*. Vol 1, (8), 120-141. 2016
- Nasima, Sheikh. Public Order and Public Morals. *Journal of jurisprudence and law*. Morocco: September 29, 2012.
- Nasrawin, Laith. "Analysis of Freedom of Assembly in the Jordanian Law on Public Meetings No 7 of 2004 and its Amendments." *Mawared.; The Arabic Human Rights Education Magazine*, The Regional Office of Amnesty International Issue No 17, pp. 30-34, 2011.
- Nasrawin, Laith. "Protecting Human Rights Through Constitutional Adjudication - Jordan as a Case Study." *Digest of Middle East Studies*. Wiley Online Library. Volume 25, 2. 2016. 264-284.
- NCHR. "The Human Rights Situation in Jordan for 2014." Report No.11 <http://www.nchr.org.jo/Arabic/tabid/95/mid/448/newside/448/543/Default.aspx>. (access date: February 4, 2018).
- Nevena, Ružić. "Freedom of Expression on the Internet. Master's thesis, University of Malta, 2006/2007. [http://www.diplomacy.edu/sites/default/files/23082010Ruzic %20\(Library\).pdf](http://www.diplomacy.edu/sites/default/files/23082010Ruzic%20(Library).pdf). (access date: February 12, 2018).
- Newton, Nigel. "The Use of Semi-Structured Interviews in Qualitative Research: Strengths and Weaknesses." *Exploring Qualitative Methods 1*, no. 1. 2010: 1-11.
- Nurullah Yamali et al. Universal Declaration of Human Rights, Article 19. European Cultural Parliament.(2015). <https://books.google.com.my/books?isbn>. (access date: March 10, 2018).
- Oetheimer, Mario. "Freedom of Expression in Europe: Case-Law Concerning Article 10 of the European Convention of Human Rights." Council of Europe: Online Bookshop, 2007.

- Office of the Historian. The Eisenhower Doctrine, 1957. <https://history.state.gov/milestones/1953-1960/eisenhower-doctrine>. (access date: March 10, 2018).
- Office of the United Nations High Commissioner for Human Rights(OHCHR). Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors, and Lawyers: Chapter 4 “Independence and Impartiality of Judges, Prosecutors, and Lawyers.”
- Official Website of the Constitutional Court, Documents of the Court: Decisions and Rulings of the Court [http://cco.gov.jo/en-us/aboutthecourt/ definitionofthecourt.aspx](http://cco.gov.jo/en-us/aboutthecourt/definitionofthecourt.aspx).(access date Mrch 3, 2018).
- Official Website of the Jordanian e-Government, Facts about Jordan [http://www.jordan.gov.jo/wps/ portal/ !ut/ p/b1/04](http://www.jordan.gov.jo/wps/portal/!ut/p/b1/04). (access date: March 10, 2018).
- Official Website of the Jordanian National Assembly. Parliamentary Life (1946-1974). (access date: March 10, 2018).
- Official Website of King Abdullah II, key of the Kingdome: History. [http://www.kinghussein.gov.jo/ history.html](http://www.kinghussein.gov.jo/history.html)
- Official Website of the Royal Jordanian Geographic Center. [http://www.rjgc.gov.jo/RJG.aspx ?PID= 165&lang=EN](http://www.rjgc.gov.jo/RJG.aspx?PID=165&lang=EN). (access date: March 10, 2018).
- Official Website of the Parliament of the Hashemite Kingdom of Jordan, Parliamentary Life in Jordan: Parliamentary Life during the Emirate Era (1923-1946) <http://www.parliament.jo/node/4> . (access date: March 10, 2018).
- Osman, Ines. 10 years on: Jordan’s Anti-Terrorism Law and the Crackdown on Dissent. Open Democracy: North Africa, West Asia (NAWA). October 31, 2016.
- Patai, Raphael. Kingdom of Jordan. Princeton University Press. 2015.
- Pember, Don and Calvert. Clay Mass Media Law. Boston: McGraw Hill. 2008.
- Pitt, Catherine. Bridging the Human Rights and Development Discourses: Is the Right to Freedom of Expression of Use to Development? Dissertation, MSc in the Faculty of Economics, LSE, London: 2005.
- Reding, Viviane. The importance of freedom of expression for democratic societies in the enlarged European Union. Press conference on the occasion of the conclusion of a Framework Agreement between the International Federation of Journalists and WAZ Mediengruppe. Brussels, 9 July 2007.
- Rends In et al. “The Right to Freedom of Expression,Restrictions on a Foundational Right.” *Global Trends in NGOs law*,6,no1. 2015.

- Reporters sans frontiers. “*World Press*.”2014, 1–32,.Available at https://rsf.Org/index2014/ data/index2014_en.pdf. (access date: March 10, 2018).
- Rihoux, Benoît. “Qualitative comparative analysis (QCA) and related systematic comparative methods: Recent advances and remaining challenges for social science research”. *International Sociology* 21, no. 5 (2006): 679-706.
- Rishmawi, M. “The Arab Charter on Human Rights and the League of Arab States: An Update.” *Human Rights Law Review* 10, no. 1. 2010: 169–/78,doi: 10.1093/hrlr/ng,p43.
- Ritchie, Jane, and Liz Spencer. “Qualitative data analysis for applied policy research.” *The Qualitative Researcher’s Companion* 573. 2002: 305-329.
- Robert, O, Bob Doyle, “The Two Stage Solution to the Problem of Free Will,” Astronomy Department, Havard University, n.d., 1–29.
- Robertson, Geoffrey. Judicial Independence: Some Recent Problems, Thematic Paper no.4 International Bar Association’s Human Rights Institute(IBAHRI) June 2014. file:///C:/ Users/ compaq/Downloads/Judicial%20 Independence% 20(June% 20 2014).pdf. (access date: March 10, 2018).
- Sabarini, Ghazi . *Human Rights and Fundamental Freedoms*, 3rd ed, Amman, the House of Culture for publication and distribution. 2011.
- Saeid, Amin. The Great Arab Revolt: A detailed and Comprehensive History of the Arab Issue in a Quarter of a Century,the 1st Vol: The struggle between Arabs and Turks. E book (Cairo: Madbouli Library) <http://download-date-history-pdf-ebooks.com/5463-free-book>. (access date: March 10, 2018).
- Saeed, Hassan. “Freedom of speech in Malaysia.” PhD Thesis, T.C. Beirne School of Law. University of Queensland. DOI 10.14264/uql.2016.879. 2002.
- Saleh, Qasem. Arab Spring in the light of the psychology of the peoples, Arab Thought Foundation, The 7th Arab Report on Cultural Development: The Arabs Between the Woes of the Present and the Dreams of Change (Four Years of the Arab Spring), Specialized Reading in the Arab Spring.
- Saleh, Suleiman. *Human Rights in the Document of Al Madinah Al Munawwarah: A Comparative Study of International Covenants*. Alryad: Dar Al Naif University for publishing. 2015.
- Sanjay, Thakur, and Svd Nageswara, Rao. “Enhancing Internet Media Freedom in Jordan: International Lessons for Progressive Media Regulation.” *Igarss* 1 (2014): 1-5.
- Sandy Qu and John, Dumay. “The Qualitative Research Interview.” *Qualitative Research in Accounting and Mangement*, 8, no.3 (August30, 2011); 238-264.

- Sarahelsie, Baker and Rosalind Edwards. How Many Qualitative Interviews is Enough?. National Center for Research Methods. 2012.
- Saraya News Agency. The Constitutional Court Refuses to Consider Two Thirds of the Appeals Submitted to it on July 25, 2016. <http://www.sarayanews.com/article/379133>. (access date: October 16, 2017).
- Sawaleif Newspaper. Al-Muqalli: Arrest of Detainees for Inciting the Homeland. January 15, 2017. <http://sawaleif.com/20553>.
- Scanlon, Thomas. "A theory of Freedom of Expression." *Philosophy and Public Affairs*, Vol. 1, No. 2. (Winter, 1972), pp. 204-226.
- Schauer, Fredrick. Free speech in a World of Private Power. Freedom of Communication Aldershot: Dartmouth (1994): 1-16.
- Seale, Patrick (ed.). The Shaping of an Arab Statesman, harif Abd Al-Hamid Sharaf and the Modern Arab World. London: Quartet Books, 1983.
- Semi-Final D. Judicial Ethics and Professional Conduct (27-30 June 2016), Omšenie, Slovakia). http://www.ejtn.eu/Documents/THEMIS%202016/Semi%20D/Written_paper_Italy.pdf. (access date: 5 December 2017).
- Shackle, Samira. Middle East Monitor (MEM). The 2015 Report. The Noose Tightens on Freedom of Speech in Jordan. August 28, 2015. <https://www.middleeastmonitor.com/20150828-the-noose-tightens-on-freedom-of-speech-in-jordan/>. (access date : March 10, 2018).
- Sharp, Jeremy. Jordan: Background and U.S. Relations. Congressional Research Service June 1, 2017. <https://fas.org/sgp/crs/mideast/RL33546.pdf>
- Shatnawi, Ali. *The Jordanian Constitutional System*, 3rd ed. Amman, JO: Dar Wa'el. 2013.
- Shatnawi, Faisal. The Principles of Constitutional Law and the Political System of Jordan. 1st ed. Amman: Dar Hamid for Publishing and Distribution. 2002.
- Shatnawi, Faisal. *Human Rights and International Humanitarian Law. Study in the International and National Laws*. Amman: Dar AL- Hamed for Publishing and Distribution. 2001.
- Sheha, Ibrahim. *Political Systems and Constitutional Law*, 3ed. (Alexandria: Manshaat Al Ma'aref, 2000).
- Shokair, Yehia. "Scope of Conformity of the Jordanian Access to Information Law with the International Standards." Master's thesis, Meddle East University, 2012.
- Siracusa Principles on the Limitation and Derogation of Provisions in the International Covenant on Civil and Political Rights Annex, UN Doc E/CN.4/1984/4 (1984).

- Smith, David and Torres, Luc. Timeline: A History of Free Speech. The Guardian. February 5, 2006. <https://www.theguardian.com/media/2006/feb/05/religion.news>
- Tahrawi, Hani. The Political Systems and Constitutional Law. 3rd ed, Amman: The House of Culture for publication and distribution, 2011.
- Tanmoy Online. Free Speech A Human Right. 2016. <https://tanmoyonline.com.wordpress.com/2016/03/03/free-speech-a-human-right/>.(access date: June 11, 2017).
- Teacher Law. Doctrine of Separation of Powers, Law Essays. November 2013. Retrieved from <https://www.lawteacher.net/free-law-essays/public-law/doctrine-of-separation-of-powers-law-essays.php?cref=1>. (access date: January 4, 2018).
- Ten, Chin. L. Mill on Liberty, Chapter Eight: Freedom of Expression:, National University of Singapore www.victorianweb.org/philosophy/mill/ten/ch8.html Last modified May 1, 2015.(access date: February 6, 2018).
- Terry, Hutchinson. *Researching and Writing in Law*. 2nd ed. Thompson Law book Co., pyrmont, NSW, 2006.
- The French Declaration of the Rights of Man and of Citizens of 1789. Approved by the National Assembly of France, August 26, 1789.available at: http://www1.curriculum.edu.au/ddunits/downloads/pdf/dec_of_rights.pdf.(access date: March 8, 2018).
- The International Organization for Report on Democracy. Legal Restrictions on Civil and Political Rights. 2012. http://www.constitutionnet.org/sites/default/files/_31_lawful_restrictions_on_civil_and_political_rights-arabic.pdf.(access date: March 12, 2018).
- The National Centre for Human Rights in Jordan (NCHR). “Report No. 11. the Human Rights Situation in Jordan for 2014.” <http://www.nchr.org/Arabic/tabid/95/mid/448/newsid448/543/Default.aspx>.(access date: november 18, 2017).
- Theodor, Meron. “Judicial Independence and Impartiality in International Criminal Tribunals.” *Am. J. Int’l L.* 99 (2005): 359. DOI: <https://doi.org/10.2307/1562502>. Published online: 27 February 2017 DOI: <https://doi.org/10.2307/1562502> Published online: 27 February 2017.
- Thompson, Mel. *Philosophy*, Hodder Headline Plc,London,First Published, 1995.
- Tongco, Dolores. “Purposive sampling as a tool for informant selection.” *Ethnobotany Research and Applications* 5, 147–158. 2007.
- Toubat, Hazem. “The Impact of 2011 Constitutional Amendment on the Rights and Freedom of Jordanians.” Master’s Thesis, Jadara University, Irbid, 2014.

- Turner, Howard. *Science in Medieval Islam*. Austin: University of Texas Press, 2009.
- UN Human Rights Committee (UNHRC). General Comment No 34 in relation to Article 19 (Freedoms of opinion and expression). Geneva, 11-29 July 2011. <http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf> (access date: March 10, 2018)
- UN Human Rights Committee (UNHRC). General Comment No. 22: in relation to Article 18 (Freedom of Thought, Conscience or Religion), 30 July 1993, CCPR/C/21/Rev.1/Add.4. <http://www.refworld.org/docid/453883fb22.html> (access date: 15 December 2015).
- UN Human Rights Committee (UNHRC). General Comment No. 16: Article 17 (Right to Privacy), The Right to Respect of Privacy, Family, Home and Correspondence, and Protection of Honour and Reputation, 8 April 1988. <http://www.refworld.org/docid/453883f922.html> (access date October 30, 2017).
- University of Southern California, USC Library. Organizing Your Social Sciences Research Paper: Types of Research Designs. Last Updated: Feb 23, 2018 <http://libguides.usc.edu/writingguide/researchdesigns>. (access date; March 10, 2018).
- Vitkauskaitė-Meurice, D. Arab Charter Declaration of Human Rights: The Naissance of New Regional Declaration of Human Rights System or a Challenge to the Universality Declaration of Human Rights?. *Jurisprudence*, 1(119). 2010. 165-180.
- Viviana Di, Iorio Niccolò, and Ludovici Giulia Poi. Do the International Sources of Law on Judicial Independence Reality Matter, *EJTN Themis Competition*. 2016.
- Wand Blaikie. Norman. *Designing Social Research*. Cambridge UK: Polity Press, 2010.
- Warren, Samuel and Brandeis, Louis. "The Right to Privacy." *Harvard Law Review Association*, 4, no. 5. 1890: 193-220. doi:10.2307/1321160. Stable URL: <http://www.jstor.org/stable/i256795>
- Whitson, Sarah, Executive Director for Middle East and North Africa Division. Jordan: Assault on Free Expression, Prosecutors Use 2014 Reform Loopholes to Silence Critics"hrw.org : <http://www.hrw.org/news/2014/12/11/Jordan-assault-free-expression>. (access date February 8, 2018).
- William, Dutton, Dopatka Anna, Michael Hills, Ginette Law, and Victoria Nash. "Freedom of Connection-Freedom of Expression: The Changing Legal and Regulatory Ecology Shaping the Internet. Paris: UNESCO (2011). https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1654464. (access date : March 3, 2016

- William and Mary. The English Bill of Rights. Available at <http://www.landofthebrave.info/bill-of-rights-1689.htm>. (access date: March 8, 2018).
- Yaqin, Anwarul. *“Legal Research and Writing.”* Malaysia: Lexis, 2007.
- Yiyao, Zhang. “The Right to Freedom of Expression Versus Media Censorship in China: Chinese Citizens and the Internet.” Master’s thesis, the Arstic University of Norway. 2010.
- Yacoub, M and Nazzal, M. Human Rights Studies in Jordan: A Bibliographic Approach. Amman, National Center for Human Rights. August, 2011.
- Yaman, Akdeniz. Freedom of Expression on the Internet: A study of legal provisions and practices related to freedom of expression, the free flow of information and media pluralism on the Internet in OSCE participating States. Organization for Security and Co-operation in Europe. The Office of the Representative on Freedom of the Media DUNJA MIJATOVIĆ. 2010.
- Yan, Zhang and Barbara, M, Wildemuth. Qualitative Analysis of Content, 2013. https://www.ischool.utexas.edu/~yanz/Content_analysis.pdf. (access date: October 15, 2016)
- Zaben, Tayseer. *King Abdullah as I Know*. Amman: The National Printing Press. 1967.
- Zarkali, Khairuddin. *Two Years in Amman*. Cairo: The Arab Press. 1925.
- Za'tara, Dalia. “Freedom of Expression and the War on Terrorism: A Focus Study on Jordan.” Master’s thesis, Central European University, Budapest, 2009.

APPENDICES

Appendix A: Information of Respondents

SN	Respondents Category	Year of Appointment	Education	Date of Interview
Respondent 1	Lawyer	1987	BA of Law	Jan 25, 2017
Respondent 2	Human Right Activist	2014	PhD of Public Law	Feb 5, 2017
Respondent 3	Academician	2008	PhD of International Public Law	Feb 26, 2017
Respondent 4	Academician/Lawyer	2012	PhD in Constitutional Law	March 6, 2017
Respondent 5	Human Right Activist/ Academician	2011	PhD of Public Law	March 13, 2017

Respondent 6	Journalist	1985	BA of Journalism	March 23,2017
Respondent 7	Victim, Partisan and Political Activist	1989	BA of Arabic Language	April 2, 2017
Respondent 8	Victim, Political Activist	1987	PhD of Comparative Contemporary Islamic Studies	April 12, 2017
Respondent 9	Journalist/ Academician	2000	PhD of Journalism and Media	April 13, 2017
Respondent 10	Lawyer and Legal Counsel	2005	BA of Law	April 18, 2017
Respondent 11	Member of the Jordanian Parliament	Lawyer 1981	BA of law	May 1, 2017
Respondent 12	Prosecutor	2005	PhD of Public Law	May7, 2017

Appendix B: Data Collection Letter



GHAZALI SHAFIE GRADUATE SCHOOL OF GOVERNMENT
UUM Kolej Undang Undang, Kerajaan dan Pengajian Antarabangsa
Universiti Utara Malaysia
06010 UUM SINTOK
KEDAH DARUL AMAN
MALAYSIA



Tel: 904-928 7751/7752
Fax: (Fax), 904-928 7799
Laman Web (Web): www.gsgg.uum.edu.my

MUAFAKAT KEDAH

Reference No:UUM/COIGIS/SSGSG/P-30
Date: January 11, 2017

TO WHOM IT MAY CONCERN

Sir/Madam,

DATA COLLECTION FOR PHD THESIS

This is to certify that **Hazem Suleiman Ahmed Toubat** (Matric Number: 99078) is a full time PhD student at Universiti Utara Malaysia, Sintok, Kedah.

He needs to collect data for his research paper in order to fulfil the requirement of his PhD programme.

We duly hope that your organization will be able to assist him in getting the necessary information for his research paper.

Thank you.

"KNOWLEDGE, VIRTUE, SERVICE"

Yours faithfully,


(HAJI ABU BAKAR MAT SAFAR)
Principal Assistant Registrar,
On behalf of Dean
Ghazali Shafie Graduate School of Government
E-mail: abakar@uum.edu.my
Tel: 04-9287752/ fax:04-9287799

Ghazali Shafie Graduate School of Government
Universiti Utara Malaysia
Website: www.gsgg.uum.edu.my
Email: gsgg@uum.edu.my

Universiti Pengurusan Telekomika
The Eminent Management University



Appendix C: Interview Protocol

Dear participant.

My name is Hazem Suleiman Ahmed Toubat; I am a PhD candidate at Universiti Utara Malaysia. College of Law, Government and International Studies (COLGIS). You are invited to participate in this research study, which aims at studying the freedom of expression under the Jordanian Constitution: A critical analysis.

The participant's identity will be kept confidential, will not be disclosed to any third party and will not be mentioned within the study's body or the final report. A coding procedure will be used to replace the participant's name in order to ensure his identity confidentiality. However, the results of the study can be published but without declaring the names of the participants. If you have no objection, the interview will be digitally recorded in order to be transcribed later for the purpose of analysis and information extraction. The interview material will be stored securely for a period of two years, after that it will be destroyed.

If you have any further inquiries, you may contact the researcher on the following contact information; the researcher's e-mail; (toubathazem@yahoo.com) and mobile No. (00962772209113).

Thanks for your participation, your time and efforts are truly appreciated.

Participant Information

Name

Current Position

Years of Experience.....

Place of Job.....

E-Mail.....

Official E-Mail (if any)

Phone No.

Interview Questions

Theme One: Guarantees of Freedom of Expression

Q 1: Freedom of expression is a human right enshrined in international instruments and in the Jordanian Constitution. Do you think that the Jordanian Constitution contains sufficient guarantees for this freedom?

Q2: Some human rights organizations such as Human Rights Watch and the National Center for Human Rights have reported that there is a narrowing of the freedom of Jordanian citizens to express their opinion. Do you support what these reports indicate and why?

Q3: According to the National Center for Human Rights in its 2015 report, the margin of freedom of expression in Jordan fluctuates according to political and regional circumstances. In your opinion, what are the reasons and justifications for this fluctuation. There are any factors that affect the guarantee of freedom of expression?

Q4: An active and independent Parliament is one of the most important human rights guarantees. What is your assessment of the role of the Jordanian Parliament in its successive sessions in the protection of the rights and freedoms, and are there any obstacles that limit its supposed role in this area?

Q5: In your opinion, does the Jordanian Constitution and laws enshrine the principle of separation of powers in a way that can be considered a real guarantee of the rights and freedoms in general and freedom of expression in particular?

Q6: Do you think that the Jordanian judiciary enjoys sufficient independence to protect the citizens' freedom to express their opinion, and is the manner of appointing the president of the Judicial Council compatible with the principle of independence of the Judiciary?



Q7: Do you think Jordanian citizens are afraid to express their opinion freely? If yes, why this fear, and what controls should be taken into consideration by individuals when expressing their opinion?

Q8: Some citizens, whether members of political parties, journalists or activists, express their views on general issues, believing that they exercise their rights guaranteed by the Constitution and international conventions, but are arrested for exceeding the limits of freedom of expression stipulated in the Jordanian laws. When is the expression of opinion considered to be beyond the limits of freedom of expression?

Q9: The State Security Court is a special court composed of military and civilian judges for trying those who commit any of the five crimes stipulated in the Constitution: terrorism, currency forgery, espionage, treason, and drugs. In your opinion, Does the State Security Court comply with the principle of independence of the Judiciary?

Q10: There are those who say that the laws regulating the rights and freedoms such as the Penal Code, the Press and Publication Law, the Anti-Terrorism Law contain ambiguous and loose terms that can be interpreted according to the situation and people. What do you think of this statement and do you have any comment on these laws?



Q11: The Constitutional Court was established to monitor the constitutionality of laws and regulations. Is the purpose of its establishment achieved? if not, what are the reasons?

Appendix D: Rulings of the Constitutional Court

Year	Ruling No	Law Questioning its Constitutionality	Articles	Submitted by	Resolution
2013	1	Law of Landlords and Tenant No. 22 of 2011.	5	Indirect Challenge (Court of Cassation)	Unconstitutional
	2	Arbitration Law No 31 of 2001	51	Indirect Challenge	Unconstitutional
	3	Arbitration Law No 31 of 2001	3,8,51,55	Indirect Challenge	Unconstitutionality of Article 3,8
	4	Bylaw of Income Tax Cases No. 3 of 2010	66/a	Indirect Challenge	Refute the challenge.
	5	Election Law No. 25 of 2012	Election Results	Indirect Challenge	The Plea is not Accepted(form
	6	Municipalities Law No. 13 of 2011.	2,3,5,8,26,33,46	House of Representative	Rebut the challenge. (In terms of Formality)
	7	Commercial Names Law No.9 of 2006	11/c	Indirect Challenge	Unconstitutional
2014	1	Election Law No. 25 of 2012		Indirect Challenge	Refute the challenge.
	2	Law of Landlords and Tenant No. 22 of 2011.	1,5	Indirect Challenge	Refute the challenge. (In terms of formality)
	3	Civil Service Bylaw No. 30 of 2007	131/a	Indirect Challenge	The Plea is not Accepted
	4	Jordanian News Agency Bylaw	14/b	Indirect Challenge	Unconstitutional
	5	Law of Landlords and Tenant No. 22 of 2011.	5	Indirect Challenge	Refute the challenge.
2015	1	The Jordan Valley Development Law No. 19 of 1988	21	Indirect Challenge	Refute the challenge.
	2	Arbitration Law No 31 of 2001	52,54	Indirect Challenge	Un Constitutionality Of Article 54
	3	Law of Stamp Duty Fees No. (20) of 2001	9,10,13	Indirect Challenge	The Plea is not Accepted (In terms of formality)
2016	1	Amended Bylaw of Wholesale Markets for Vegetables and Fruits	The Whole By law	Indirect Challenge	Rebut the challenge. (In terms of formality)
2017	1	Bylaw of Social solidarity of Judges No. 44 of 2015	3,13	House of Representative	Refute the challenge.

2	Law of Stamp Duty Fees No. (20) of 2001	9,10,11	Indirect challenge	Refute the challenge.
3	Law on Organizing Cities, Villages and Buildings	59	Indirect Challenge	Refute the challenge.
4	Bar Association Law	46/2,52	Indirect Challenge	Refute the challenge.
5	Bylaw of Special sales tax No. 97of 2016	The Whole By law	Indirect Challenge	Constitutional



UUM
Universiti Utara Malaysia